

Art Unit: 3685

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Jerry Miller on April 2, 2010.

Claims 1 – 105

(Cancelled)

Claim 106.

A method of delivering digital content, comprising:

~~at an electronic commerce computer system,~~ receiving by an e-commerce server a request from a customer for transfer of A/V content, including a soundtrack, in digital form to the customer at a customer storage or playback device;

~~at the electronic commerce computer system,~~ receiving by an e-commerce server payment from the customer for the transfer of the A/V content in accordance with a first usage rule;

Art Unit: 3685

transferring audio/video (A/V) content in digital form from a content provider to the customer in accordance with the first usage rule, the digital form of the A/V content comprising at least a soundtrack ~~an audio portion~~ and a video portion;

providing limited usage rights by an e-commerce server to the A/V content to the customer;

presenting the A/V content to the customer for display on an entertainment system display;

~~displaying a menu on the entertainment system display just before, after or during presentation of the selection of A/V content to the customer, the menu displaying selected portions of the A/V content for which additional usage rights beyond said limited usage rights under the first usage rule that are available;~~

displaying by a menu on an entertainment system display, soundtrack portions of the A/V content having additional usage rights beyond said limited usage rights under the first usage rule;

~~at the electronic commerce computer system,~~ receiving by an e-commerce server a request from the customer for acquisition of the additional usage rights beyond the first usage rights to the selected portions of the A/V content as a second ~~separate subsequent~~ transaction;

~~at the electronic commerce computer system,~~ receiving by an e-commerce server payment from the customer for the second ~~separate subsequent~~ transaction; and

as a result of receiving payment for said second ~~separate subsequent~~ transaction, sending a key code to the user from the e-commerce server;

~~electronic commerce computer system that permits the user to extract and store~~ extracting and storing with the key code, the soundtrack of the selected portion of the A/V content from the

Art Unit: 3685

original A/V content according to said additional ~~under said separate~~ usage rights beyond the first usage rights ~~rule acquired as a result of the separate subsequent transaction on the customer storage or playback device.~~

Claim 107.

The method according to claim 106, where the transaction attaches a second usage rule to the soundtrack ~~selected portion.~~

Claim 108.

The method according to claim 107, where the second ~~separate subsequent~~ transaction comprises one of: a purchase of unlimited rights to play the soundtrack ~~selected portion~~, a purchase of rights to play the soundtrack ~~selected portion~~ for a designated period of time, and a purchase of rights to play the soundtrack ~~selected portion~~ a designated number of times.

Claim 109.

The method according to claim 108, where the A/V content further comprises a table of contents portion (TOC) that indexes the soundtrack ~~selected portion.~~

Claim 110.

The method according to claim 106, where ~~both~~ the presenting ~~and enabling take~~ takes place within a designated period of time defined by the first usage rule.

Art Unit: 3685

Claim 112.

The method according to claim 106, where the second transaction ~~separate transaction~~ further comprises transferring additional A/V content as one or more digital files, streaming the A/V content, and transmitting the A/V content as a real time transmission.

Claim 113.

(Cancelled)

Claims 115. – 121.

(Cancelled)

Claim 122. (New) A system of delivering digital content, comprising:

one or more processors;

a memory connected to the one or more processors, and storing computer readable instructions, that when executed by the one or more processors causes the one or more processors to perform the method of:

receiving by an e-commerce server a request from a customer for transfer of A/V content, including a soundtrack, in digital form to the customer at a customer storage or playback device;

receiving by an e-commerce server payment from the customer for the transfer of the A/V content in accordance with a first usage rule;

Art Unit: 3685

transferring audio/video (A/V) content in digital form from a content provider to the customer in accordance with the first usage rule, the digital form of the A/V content comprising at least a soundtrack and a video portion;

providing limited usage rights by an e-commerce server to the A/V content to the customer;

presenting the A/V content to the customer for display on an entertainment system display;

displaying by a menu on an entertainment system display, soundtrack portions of the A/V content having additional usage rights beyond said limited usage rights under the first usage rule;

receiving by an e-commerce server a request from the customer for acquisition of the additional usage rights beyond the first usage rights to the selected portions of the A/V content as a second transaction;

receiving by an e-commerce server payment from the customer for the second transaction; and

as a result of receiving payment for said second transaction, sending a key code to the user from the e-commerce server;

extracting and storing with the key code, the soundtrack of the A/V content from the original A/V content according to said additional usage rights beyond the first usage rights.

Claim 123.

The system according to claim 122, where the transaction attaches a second usage rule to the soundtrack.

Art Unit: 3685

Claim 124.

The system according to claim 122, where the second transaction comprises one of: a purchase of unlimited rights to play the soundtrack, a purchase of rights to play the soundtrack for a designated period of time, and a purchase of rights to play the soundtrack a designated number of times.

Claim 125.

The system according to claim 122, where the A/V content further comprises a table of contents portion (TOC) that indexes the soundtrack.

Claim 126.

The system according to claim 122, where the presenting takes place within a designated period of time defined by the first usage rule.

Claim 127.

The system according to claim 122, where the A/V content comprises one of a motion picture, a television program, a documentary and a music video.

Claim 128.

Art Unit: 3685

The system according to claim 122, where the second transaction further comprises transferring additional A/V content as one or more digital files, streaming the A/V content, and transmitting the A/V content as a real time transmission.

Claim 129.

The system according to claim 122, where the storing further comprises receiving a download from the content provider.

Claim 130.

A non-transitory computer readable storage medium storing instructions that when executed by one or more processors causes the one or more processors to perform the method of:

receiving by an e-commerce server a request from a customer for transfer of A/V content, including a soundtrack, in digital form to the customer at a customer storage or playback device;

receiving by an e-commerce server payment from the customer for the transfer of the A/V content in accordance with a first usage rule;

transferring audio/video (A/V) content in digital form from a content provider to the customer in accordance with the first usage rule, the digital form of the A/V content comprising at least a soundtrack and a video portion;

providing limited usage rights by an e-commerce server to the A/V content to the customer;

presenting the A/V content to the customer for display on an entertainment system display;

Art Unit: 3685

displaying by a menu on an entertainment system display, soundtrack portions of the A/V content having additional usage rights beyond said limited usage rights under the first usage rule;

receiving by an e-commerce server a request from the customer for acquisition of the additional usage rights beyond the first usage rights to the selected portions of the A/V content as a second transaction;

receiving by an e-commerce server payment from the customer for the second transaction; and

as a result of receiving payment for said second transaction, sending a key code to the user from the e-commerce server;

extracting and storing with the key code, the soundtrack of the A/V content from the original A/V content according to said additional usage rights beyond the first usage rights.

Claim 131.

The storage medium according to claim 130, where the transaction attaches a second usage rule to the soundtrack.

Claim 132.

The storage medium according to claim 130, where the second transaction comprises one of: a purchase of unlimited rights to play the soundtrack, a purchase of rights to play the soundtrack for a designated period of time, and a purchase of rights to play the soundtrack a designated number of times.

Art Unit: 3685

Claim 133.

The storage medium according to claim 130, where the A/V content further comprises a table of contents portion (TOC) that indexes the soundtrack.

Claim 134.

The storage medium according to claim 130, where the presenting takes place within a designated period of time defined by the first usage rule.

Claim 135.

The storage medium according to claim 130, where the A/V content comprises one of a motion picture, a television program, a documentary and a music video.

Claims 136 -- 139.

(Cancelled)

Claim 140.

The storage medium according to claim 130, where the second transaction further comprises transferring additional A/V content as one or more digital files, streaming the A/V content, and transmitting the A/V content as a real time transmission.

Claim 141.

Art Unit: 3685

The storage medium according to claim 130, where the storing further comprises receiving a download from the content provider.

Allowable Subject Matter

1. Claims 106-112, 114 and 122-135, 140-141 are allowed over the prior art record.

2. The following is an Examiner's statement of reasons for allowance:

The closest prior art of record

Garfinkle (US Patent 5,530,754) teaches a video on demand system.

What they fail to teach or suggest: None of the art of record, taken individually or combination disclose at least the steps/components of "receiving by an e-commerce server a request from the customer for acquisition of the additional usage rights beyond the first usage rights to the selected portions of the A/V content as a second transaction; receiving by an e-commerce server payment from the customer for the second transaction; and as a result of receiving payment for said second transaction, sending a key code to the user from the e-commerce server"

3. These distinct features render claim 106 allowable. Claims 107-112, 114 and 122-135, 140-141 are either dependant upon claim 106 or contain similar limitations as claim 106 and are therefore allowable for at least the same reasons.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. WINTER whose telephone number is (571)272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMW

Application/Control Number: 09/955,397

Page 13

Art Unit: 3685

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 3685